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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/779,293

02/13/2004

Kurt Mohr

1-25074

7430

46582

7590

05/24/2006

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FOURTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER

NGUYEN, XUAN LAN T

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/779,293	Applicant(s) MOHR, KURT	
	Examiner Lan Nguyen	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 3,9-11 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8,12,14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

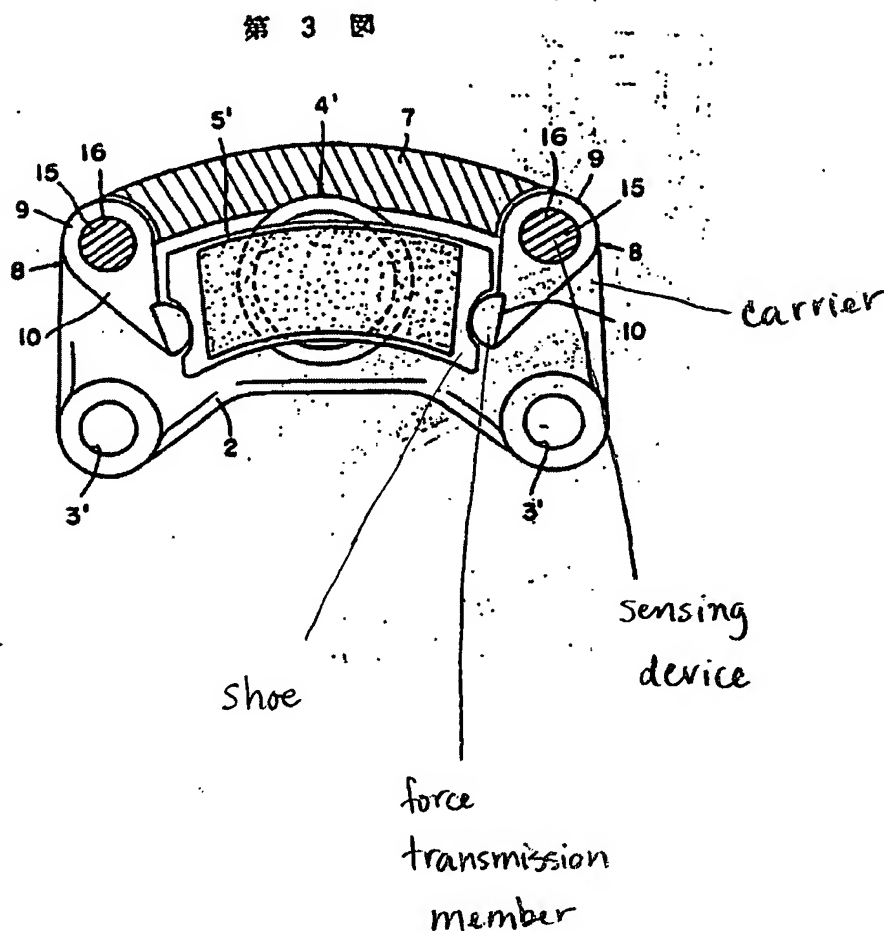
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

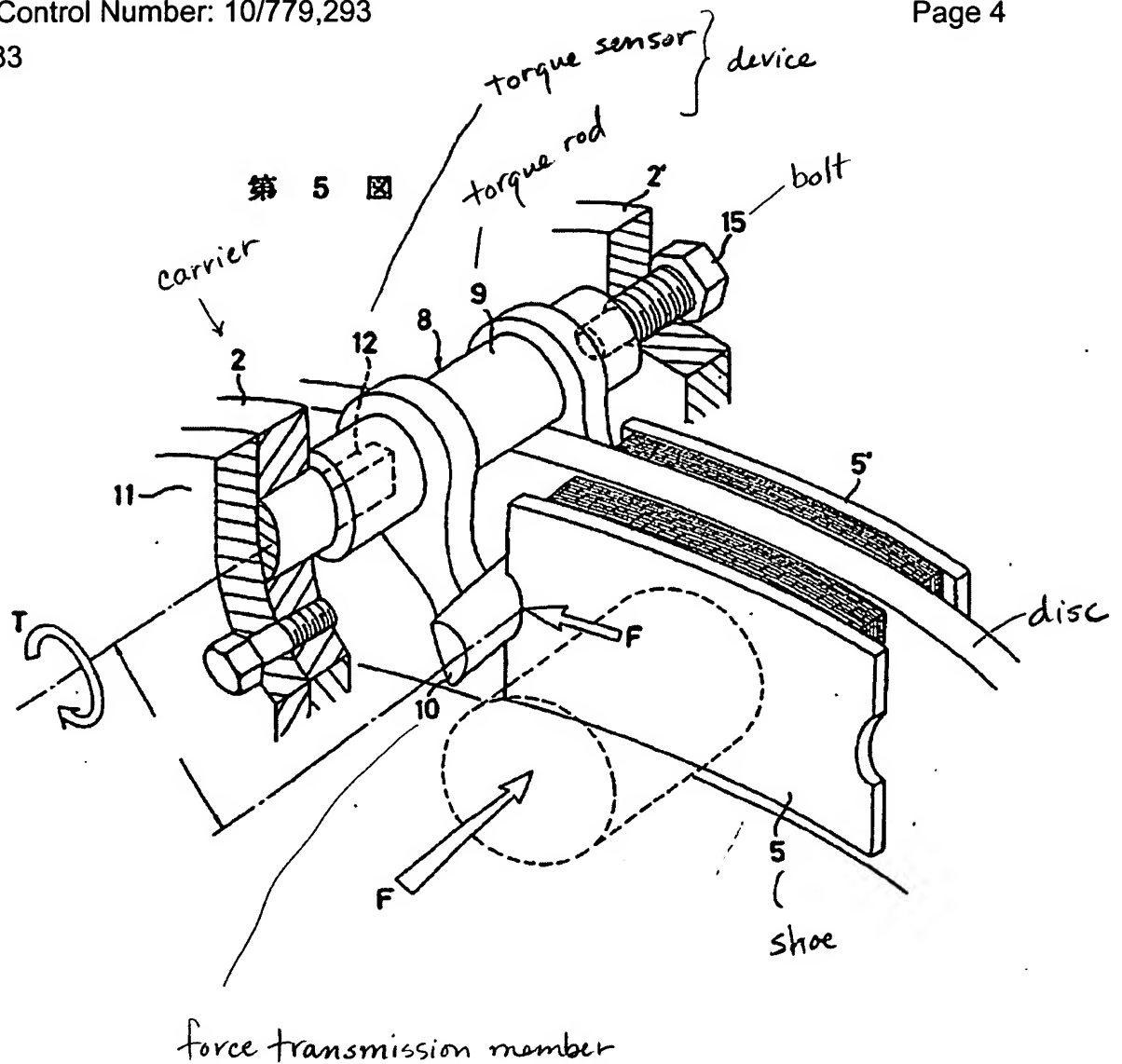
2. Claims 1, 2, 4-8, 12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kennosuke (JP 61-275049).

Re: claim 1, Kennosuke shows a disc brake, as in the present invention, comprising: a caliper 7, two brake shoes 5,5' which are pressable against both sides of a brake disc 1 and which in relation to a peripheral force generated upon application of the brake shoes against the brake disc, are supported against a vehicle-fixed carrier 2, wherein the peripheral force in dependence upon a direction of rotation of the brake disc acts in one of two opposite peripheral force directions, as shown in figure 5, as marked below; at least one device 9, 12 for at least one of measuring and converting the peripheral force, the device being disposed in a force transmission chain between at least one of the brake shoes 5 and the carrier 2; and at least one force transmission member 10, which is disposed between at least one of the brake shoes 5 and the device 9, 12 for at least one of measuring and converting the peripheral force, and which is movable relative to the carrier as shown in figure 5 below by arrows F and T, under guidance in a plane parallel to the brake disc wherein the at least one force

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transmission member 10 is disposed at one side relative to the caliper in order to take up and transmit the generated peripheral force in only one of the two peripheral force directions as shown in figures 3 and 5 below.





Re: claim 2, figure 5 further shows guide 15 being rigidly coupled to the carrier 2.

Re: claim 4, figure 5 shows the force transmission member 10 is guided in a rotary manner as indicated by arrow T.

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Re: claim 5, as shown in figure 5, the force transmission member 10 is a swivel element, which has a swiveling axis, the axis of arrow T, parallel to an axis of rotation of the disc 1.

Re: claim 6, figure 5 shows the swivel element 10 being coupled to the carrier by bolt 15.

Re: claims 7 and 8, figure 3 further shows two force transmission members 10, 10 and two devices 9, 12, 9, 12 disposed at each side of the brake disc 1.

Re: claim 12, the Abstract shows that the device 9, 12 is a force sensor.

Re: claim 14, figure 3 shows the force transmission member 10 being profiled at a region interacting with the brake shoe 5 and wherein the at least one brake shoe has a complementary profiling of a concave surface to complement the convex surface of member 10.

Re: claim 15, Kennosuke shows a vehicle brake system having a disc brake, as in the present invention, comprising: a caliper 7, two brake shoes 5, 5', which are pressable against both sides of a brake disc 1 and which in relation to a peripheral force generated upon application of the brake shoes against the brake disc, are supported against a vehicle-fixed carrier 2, wherein the peripheral force in dependence upon a direction of rotation of the brake disc acts in one of two opposite peripheral force directions, as shown in figure 5 as marked above; at least one device 9, 12 for at least one of measuring and converting the peripheral force, the device being disposed in a force transmission chain between at least one of the brake shoes 5 and the carrier 2 as shown in figure 5; and at least one force transmission member 10, which is disposed

between at least one of the brake shoes 5 and the device 9, 12 for at least one of measuring and converting the peripheral force and which is movable relative to the carrier 2 as indicated by arrows F and T, under guidance in a plane parallel to the brake disc, member 10 rotates about the axis of arrow T, wherein the at least one force transmission member 10 is disposed at one side relative to the caliper in order to take up and transmit the generated peripheral force in only one of the two peripheral force directions, as shown in figure 5 above.

Response to Arguments

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is (571) 272-7121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571) 272-6786. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Nguyen
Primary Examiner
Art Unit 3683

 5/19/06